

Congress of the United States
Washington, DC 20515

February 25, 2022

The Honorable Peter DeFazio
Chairman
Committee on Transportation
and Infrastructure
2165 Rayburn HOB
Washington, DC 20515

The Honorable Sam Graves
Ranking Member
Committee on Transportation
and Infrastructure
2164 Rayburn HOB
Washington, DC 20515

The Honorable Grace F. Napolitano
Chairman
Subcommittee on Water Resources
and Environment
2165 Rayburn HOB
Washington, DC 20515

The Honorable David Rouzer
Ranking Member
Subcommittee on Water Resources
and Environment
2164 Rayburn HOB
Washington, DC 20515

Dear Chairman DeFazio, Ranking Member Graves, Subcommittee Chair Napolitano, and Ranking Subcommittee Member Rouzer:

We appreciate the Committee's commitment towards effectively redressing the water resources challenges facing the nation's most vulnerable communities. This commitment was clearly evidenced in the Water Resources Development Act (WRDA) of 2020, which included vital reforms designed to improve the U.S. Army Corps of Engineers' consultation and coordination with disadvantaged communities and Tribes, prioritize resiliency planning for economically disadvantaged communities, and establish an important pilot program to facilitate effective flood risk management planning for underserved communities.

However, much more needs to be done to ensure that the Army Corps of Engineers' has the tools and capacity needed to advance community-supported solutions to the entrenched water resources challenges that plague far too many of the nation's most vulnerable communities. To provide long-lasting benefits to economically disadvantaged communities, minority communities and Tribes across the country, we ask you to include the following common-sense provisions in the upcoming WRDA:

1. Increase Capacity and Expertise Within the Agency: Establish a new position of Senior Advisor for Environmental Justice within the Office of the Chief of Engineers and require that each Corps District hire a Tribal Liaison officer. The Senior Advisor should revisit the way the Corps applies its "ability to pay" provision, address other barriers to access and participation in Corps programs, ensure culturally competent messaging in education and outreach materials and assist in identifying and engaging with communities suffering from environmental injustice. The District Tribal Liaisons should build authentic and lasting relationships with Tribal leadership and members and work

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closely with Tribes to facilitate robust and effective consultation and coordination with Tribes that fully respects and accounts for the fundamental sovereignty of Tribes, and the Federal trust and treaty responsibilities to Tribal Nations.

2. Ensure Meaningful Opportunities for Public Input on Environmental Justice: Establish a standing Federal Advisory Committee on Environmental Justice, in accordance with the Federal Advisory Committee Act, to advise the Chief of Engineers and the Assistant Secretary of the Army (Civil Works) on activities and actions that should be undertaken by the Corps to ensure more equitable delivery of services, projects, and project benefits through all Corps programs.
3. Increase Opportunities for Assistance: Enhance the Corps' ability to provide resiliency planning for economically disadvantaged communities, communities of color, and Tribes, and expand the ten-community Pilot Program for Economically Disadvantaged Communities established by Section 118(b) of WRDA 2020. The Corps should also be directed to utilize existing mapping tools – such as the EPA's EJSCREEN and FEMA's National Risk Index – to assist in identifying those communities most in need and at risk.
4. Maximize Toxics Remediation in ecological restoration, navigation, and flood resilience projects: Ensure that Corps projects, project operations and maintenance, and activities across all Corps missions and business lines account for, and where practicable incorporate remediation of, toxic contamination. The Corps should also be directed to coordinate closely with the U.S. Environmental Protection Agency, state environmental agencies, and regional coordinating bodies including River Commissions, to maximize remediation of toxics to the greatest extent practicable when conducting work in waterways or regions with high levels of pollutants. This work is particularly critical in areas where Corps dredging risks stirring up heavy metals and polychlorinated biphenyls (PCBs) and in areas where hurricanes and floods risk inundating heavily contaminated sites.
5. Advance Environmental Justice Innovation: Establish an Environmental Justice Innovation Center to develop and train Corps staff to deliver innovative community-scaled solutions to water resources problems that are environmentally sustainable and cost-effective. The Innovation Center should prioritize working with smaller communities facing multiple, or particularly unique, water resources challenges. For example, the Innovation Center could work with a community and outside experts to incorporate bioremediation or groundwater recharge maximization measures into a natural infrastructure project to increase water quality improvement co-benefits.
6. Support Minority-Owned Businesses: Direct the Corps to increase collaboration, contracting, and subcontracting with minority-owned businesses to improve gender-based and race-based outcomes. Many companies profit greatly from contracting with the Corps, including for post-disaster recovery work, and Congress should ensure that these benefits are inclusive of and prioritize minority-owned businesses. The distribution of

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funds should be tracked and reported on a disaggregated basis to assess who benefits from economic opportunities.

We appreciate your consideration of this request and urge you to ensure that that the Corps has the capacity and tools it needs to better serve the nation's most vulnerable communities.

Sincerely,



Steve Cohen
Member of Congress



Nanette Diaz Barragán
Member of Congress

/s/
Jimmy Gomez
Member of Congress

/s/
Gwen Moore
Member of Congress

/s/
Alexandria Ocasio-Cortez
Member of Congress

/s/
Adriano Espaillat
Member of Congress

/s/
Jamaal Bowman, Ed.D.
Member of Congress

/s/
Veronica Escobar
Member of Congress

/s/
Barbara Lee
Member of Congress

/s/
Earl Blumenauer
Member of Congress

/s/
Rashida Tlaib
Member of Congress

/s/
A. Donald McEachin
Member of Congress

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/s/

Jesús G. "Chuy" García
Member of Congress

/s/

André Carson
Member of Congress

/s/

Karen Bass
Member of Congress

/s/

Raúl Grijalva
Member of Congress

/s/

Betty McCollum
Member of Congress

/s/

Carolyn B. Maloney
Member of Congress

/s/

Nikema Williams
Member of Congress

/s/

Katie Porter
Member of Congress

/s/

Ro Khanna
Member of Congress

/s/

Alan Lowenthal
Member of Congress

/s/

Tony Cárdenas
Member of Congress

/s/

Jan Schakowsky
Member of Congress

/s/

Ayanna Pressley
Member of Congress

/s/

Bonnie Watson Coleman
Member of Congress